THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.22000 OF 2005

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Dt: 07.10.2005

Between:

Bodapati Aravala Raju and another

.. Petitioners

AND

The Government of Andhra Pradesh

Rep. by its Secretary,

Social Welfare (LTR-2) Department,

Secretariat Buildings, Hyderabad

And others

.. Respondents

ORDER:

The petitioners possess certain extents of agricultural lands in Garagalapalem Village of Korukonda Mandal, East Godavari District. The Special Deputy Collector, the 3rd respondent, took up proceedings under the A.P. Scheduled Areas Land Transfer Regulation 1 of 1959 read with Regulation 1 of 1970, against them in L.T.R.P.No.196 of 2004. Through order dated, 30.12.2004, he rejected the complaint. Aggrieved thereby, the 6th respondent filed C.M.A.No.2 of 2005, before the 2nd respondent. The C.M.A. was allowed on 02.05.2005 and eviction of the petitioners was ordered. The petitioners filed a revision before the 1st respondent together with an application for stay. Their grievance is that no orders have been passed in the application for stay, and in the meanwhile, the respondents 5 and 6 are taking steps to dispossess them.

Heard the learned counsel for the petitioners and the learned Government Pleader for Social Welfare.

The Regulations provide for a revision against an order passed by an appellate authority. The petitioners availed such a remedy. They have also filed an application for stay. The revision is said to have been presented on 05.09.2005. The 1st respondent is conferred with the power to grant interim orders. If the application for interim orders is kept pending indefinitely, there is every likelihood of the petitioners being dispossessed, and if that happens nothing remains to be decided in the revision.

For the foregoing reasons, the writ petition is disposed of directing that the order in C.M.A., shall remain suspended till the disposal of the revision by the 1st respondent.

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L.NARASIMHA REDDY,J

Date:07.10.2005

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